

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: incorporating claim language into the specification (page 1, line 5 "claims 1 and 12").

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim elements "means for creating web-documents" and "means for establishing a connection" and "means for transmitting" are means (or step) plus function limitations that invokes 35 U.S.C. 112, sixth paragraph. However, the written description fails to disclose the corresponding structure, material, or acts for the claimed function. Note, the software or logic used to create the web-document and the structure for establishing a connection and transmitting are not disclosed in the instant application.

Applicant is required to:

(a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or

(b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function without introducing any new matter (35 U.S.C. 132(a)).

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or

(b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification, perform the claimed function. For more information, see 37 CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harmsen (European Patent Application EP 1212938 A1 hereinafter Harmsen '938) in view of Clark et al. (US Pub. 2002/0168937 hereinafter Clark '937).
5. In re to claim 11, Harmsen '938 discloses a system and method for remote supervision of an automatic milking system (1) being adapted to handle animals and comprising at least one milking station (4) and computer (2) means wherein the system includes means for ( col. 1, lines 50-58) creating web-documents containing information about said milking station (4) and/or said animals obtained from said computer means, means for establishing a connection between the automatic milking system (1) and a mobile communication unit (10) and means for transmitting created web-documents to a communication unit (10), and means for customizing said web-documents to the mobile communication unit (10) before transmitting a created web-document to the mobile communication unit (Para. 17, lines 1-4). Harmsen '938 does not disclose the computer means in said automatic milking system (1) receives specific instructions from the communication unit input by a user of the communication unit by means of a user interface, whereby settings of said milking station can be remote manipulated by means of said communication unit. However, Clark '937 does disclose the computer means in said automatic milking system (1) receives specific instructions from the communication unit input by a user of the communication unit by means of a user interface, whereby settings of said milking station can be remote manipulated by means of said communication unit (Para. 33, pg. 4, lines 3-4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the milking system

of Harmsen '938 with the dual directional communication unit of Clark '937's system to provide the user with the ability to enter parameters and receive information.

6. In re to claim 12, Harmsen '938 discloses the system as claimed in claim 11, wherein said means for creating a web-document comprises a web-server including a program for creating web-documents (Para. 8).

7. In re to claim 13, Harmsen '938 discloses the system as claimed in claim 12, wherein the means for customizing comprises means for performing one or more of the following: sending only requested information, sending only predetermined information, sending information in dependence on the capacity of the communication unit (Para. 6 and 7 lines 19-29).

8. In re to claim 14, Harmsen '938 discloses the system as claimed in claim 11 wherein said mobile communication unit (10) is any of the group: laptop computer, PDA or mobile telephone (Para. 6).

9. In re to claim 15, Harmsen '938 discloses the system as claimed in claim 11, wherein said computer means comprises two or more computers handling different functions in the automatic milking system (Para. 11).

10. In re to claim 16, Harmsen '938 discloses the system as claimed in claim 15, wherein a first computer (2) comprises a database including information about the herd being handled by the automatic milking system (1) and another computer (robot) handles the functions of the automatic milking system (Para. 11).

11. In re to claim 18, Harmsen '938 discloses the system as claimed in claim 11, wherein the system includes means for establishing the connection between the

automatic milking system (1) and the communication unit (10) upon a certain event (Para. 4).

12. In re to claim 19, Harmsen '938 discloses the system as claimed in claim 18 wherein the establishment of a connection is initiated either from the communication unit (10) or the automatic milking system (1) (Para. 17, lines 44-47).

13. In re to claim 20, Harmsen '938 discloses the system as claimed in claim 18, wherein the connection between a communication unit (10) and the milking station (4) is wide band connection such as fibre, satellite, (V) LAN, radio or ADSL (Para. 17, lines 44-47).

14. In re to claim 21, Harmsen '938 discloses the system as claimed in claims 11, Harmsen '938 does not disclose wherein the system includes means for receiving input being sent from the communication unit. However, Clark '937 does disclose wherein the system includes means for receiving input being sent from the communication unit (Para. 33, pg. 4, lines 14-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the milking system of Harmsen '938 with the dual directional communication unit of Clark '937's system to provide user with the ability to set the parameters of the system and receive information.

15. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harmsen '938 and Clark '937 in further view of Nilsson (US Patent 6431116 hereinafter Nilsson '116).

16. In re to claim 17, Harmsen '938 and Clark '937 disclose the system as claimed in claim 11. Neither Harmsen'938 nor Clark'937 discloses wherein said system includes a

camera for enabling the sending of images of the at least one milking station and/or animals to a communications unit. However, Nilsson '116 does disclose wherein said system includes a camera (5) for enabling the sending of images of the at least one milking station and/or animals to a communications unit (col.3. lines 17-23). One of ordinary skill in the art at the time the invention was made would have been motivated to modify the milking system of Harmsen '938 and Clark '937 with the camera of Nilsson '116's milking system to provide an image capturing device for viewing the animal during milking. Therefore, it would have been obvious to one of ordinary skill in the art to provide the teachings of Harmsen '938, and Clark '937 , with the camera of Nilsson '116 to provide image capturing for viewing the animals during milking to ensure the quality of the milking data and check the health of the animal.

17. Regarding claims 1-10, under the principles of combination, if a prior art device, in its normal and usual operation, would necessarily perform the method claimed, then the method claimed will be considered to be obvious by the prior art device. When the prior art device is the same as a device described in the specification for carrying out the claimed method, it can be assumed the device will obviously perform the claimed process.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 5080040 teaches a milking system coupled to a central computer which controls both the individual components of the milking system and working parameters of the system as a whole. US Patent 6584931 teaches a system

and method for controlling and monitoring the operation of an automatic milking system (1), wherein a central processing unit (8) is arranged to receive signals from peripheral hardware units and to process the signals for obtaining hardware status related information or milking animal status related information. An interface is arranged for communication between the central processing unit and an operator. U.S. Pub. 2002/0045970 teaches a robotic system for a robot includes a programmable controller coupled to the robot and a teach pendant coupled to the programmable controller. The teach pendant is adapted to control the robot and includes a processor capable of operating the teach pendant and a display coupled to the processor. The teach pendant also includes a web browser. The web browser is adapted to accept input data in a standard format and display the input data on the display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EBONY EVANS whose telephone number is (571)270-1157. The examiner can normally be reached on M-T 8-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mansen can be reached on 571-272-6608. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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